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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Frederick W. Gibb, III McGinn & Gibb, PLLC Suite 304 2568-A Riva Road Annapolis, MD 21401			ABDUL-ALI, OMAR R	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/699,380	ACCOT, JOHNNY I.
	Examiner Omar Abdul-Ali	Art Unit 2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 10 April 2007.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-35 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-35 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 09 April 2007 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) Notice of Informal Patent Application
- 6) Other: _____.

DETAILED ACTION

The following action is in response to the response filed April 10, 2007. Amended Claims 1-35 are pending and have been considered below.

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 1-35 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 1-11 disclose software components (a non-linear path region, and a non-rotatable handle region), *per se*, which are non-functional descriptive material, thus they may also be considered to be merely an abstract idea and are rejected under 35 U.S.C. 101 as being a non-patentable abstract idea.

Claims 12-35 disclose software components, which are non-functional descriptive material, thus they may also be considered to be merely an abstract idea and are rejected under 35 U.S.C. 101 as being a non-patentable abstract idea.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being obvious over Gibson (US 5,392,388).

The applied reference has a common assignee with the instant application.

Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an invention "by another"; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and reference are currently owned by the same party and that the inventor named in the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). This rejection might also be overcome by showing that the reference is disqualified under 35 U.S.C. 103(c) as prior art in a rejection under 35 U.S.C. 103(a). See MPEP § 706.02(l)(1) and § 706.02(l)(2).

Claim 1: Gibson discloses a method and system for a non-linear scrollbar, but does not explicitly disclose a non-linear path region that corresponds to a list of items in a computer application. However, Gibson does disclose a non-linear periphery region that corresponds to one or more segments making up a panoramic image (Column 2,

lines 46-54). The segments of the panoramic image are viewed as "items" in this case. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to correspond the non-linear path region with a list of items. One would have been motivated to correspond a non-linear path region to a list of items in order to efficiently manage the list of items in a graphical user interface.

Gibson discloses a rotatable handle region (moveable control element) that corresponds to a subset of the items in the list (column 2, lines 46-54).

Claim 2: Claim 3: Gibson discloses a method and system for a non-linear scrollbar as in Claim 1 above, but does not explicitly show that the non-linear path region comprises a spiral configuration. However, Gibson does disclose the non-linear path region (periphery) is circular (column 2, lines 37-36). Additionally, the examiner considers it immaterial as to which shape the path region is configured and it would have been obvious to one having ordinary skill in the art at the time the invention was made that the path region could be configured in different shapes. One would have been motivated to change the configuration of the path region for customization purposes.

Claim 3: Gibson discloses a method and system for a non-linear scrollbar as in Claim 1 above, but does not explicitly show that the non-linear path region comprises a square configuration. However, the examiner considers it immaterial as to which shape the path region is configured and it would have been obvious to one having ordinary skill in the art at the time the invention was made that the path region could be configured in

different shapes. One would have been motivated to change the configuration of the path region for customization purposes.

Claim 4: Gibson discloses a method and system for a non-linear scrollbar as in Claim 1 above, but does not explicitly show that the non-linear path region comprises a rectangular configuration. However, the examiner considers it immaterial as to which shape the path region is configured and it would have been obvious to one having ordinary skill in the art at the time the invention was made that the path region could be configured in different shapes. One would have been motivated to change the configuration of the path region for customization purposes.

Claim 5: Gibson discloses a method and system for a non-linear scrollbar as in Claim 1 above, further comprising:

a. each of the items in the list is represented by a fixed proportion of the path region (column 2, lines 46-54).

Claim 6: Gibson discloses a method and system for a non-linear scrollbar as in Claim 1 above, further comprising:

a. the handle region is proportional to a fixed proportion of the path region (column 2, lines 46-61).

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Claim 7: Gibson discloses a method and system for a non-linear scrollbar as in Claim 1 above, further comprising:

- a. the fixed proportion is a fixed angle (column 2, lines 46-61).

Claim 8: Gibson discloses a method and system for a non-linear scrollbar as in Claim 1 above, further comprising:

- a. the fixed proportion is a fixed angle (column 2, lines 46-61).

Claim 9: Gibson discloses a method and system for a non-linear scrollbar as in Claim 1 above, further comprising:

a. the length of the path region is directly proportional to an amount of items in the list (column 2, lines 46-61).

Claim 10: Gibson discloses a method and system for a non-linear scrollbar as in Claim 1 above, further comprising:

- a. a display region that displays the subset (column 2, lines 46-61).

4. Claim 11 is rejected under 35 U.S.C. 103(a) as being obvious over Gibson (US 5,392,388) in view of Blades et al. (US 5,706,388).

The applied reference has a common assignee with the instant application.

Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome

by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an invention "by another"; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and reference are currently owned by the same party and that the inventor named in the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). This rejection might also be overcome by showing that the reference is disqualified under 35 U.S.C. 103(c) as prior art in a rejection under 35 U.S.C. 103(a). See MPEP § 706.02(l)(1) and § 706.02(l)(2).

Claim 11: Gibson discloses a method and system for a non-linear scrollbar as in Claim 1 above, but does not explicitly disclose a handle manipulator for manipulating the handle region. Blades discloses a similar method and system for a non-linear scrollbar that further discloses a head and tail region that are used to manipulate a handle region (column 7, lines 16-29). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include a handle manipulator for manipulating the handle region in Gibson. One would have been motivated to include a handle manipulator in order to provide more custom functionality to the interface.

5. Claims 12-23 are rejected under 35 U.S.C. 103(a) as being obvious over Gibson (US 5,392,388) in view of Blades et al. (US 5,706,388) and further in view of Schirmer (US 6,369,837)

The applied reference has a common assignee with the instant application.

Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an invention "by another"; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and reference are currently owned by the same party and that the inventor named in the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). This rejection might also be overcome by showing that the reference is disqualified under 35 U.S.C. 103(c) as prior art in a rejection under 35 U.S.C. 103(a). See MPEP § 706.02(l)(1) and § 706.02(l)(2).

Claim 12: Gibson discloses a method and system for a non-linear scrollbar, comprising:

- a. a geometric center point (column 2, lines 44-61). The periphery is a circle, which has a geometric center point;
- b. an outer periphery region (column 2, lines 44-48);

Gibson does not explicitly disclose a non-linear trough progressively winding tighter from said outer periphery region towards said geometric center point and corresponding to a list of items in a computer application. Schirmer discloses a similar computer program product, apparatus, and method for a non-linear scrollbar, that further discloses a rollerball that is configured in a spiral that is characterized by a peripheral border that surrounds a central interior region corresponding to items in a menu (column 4, lines 38-51/column 9, lines 12-14). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include a non-linear trough progressively winding tighter from said outer periphery region toward said geometric center point and corresponding to a list of items in a computer application in Gibson. One would have been motivated to add this feature to increase operator efficiency through the implementation of an improved visual control device.

Gibson discloses a rotatable thumb that corresponds to an accessed portion of the list of items (column 2, lines 44-61), and Schirmer further discloses moving a selected portion of the active region from the central interior region toward the peripheral border (column 4, lines 42-46). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to allow the rotatable thumb to be extendable anywhere between said geometric center point and said outer periphery region. One would have been motivated to extend the rotatable thumb between the geometric center point and outer periphery region in order to enable the display of a plurality of files.

Gibson does not explicitly disclose a partition region that corresponds to predetermined transitions between items in the list. Blades discloses a similar method and system for a non-linear scrollbar, that further discloses various functions that are separated by partitions (column 7, lines 16-31/Figure 4A). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include a partition region that corresponds to predetermined transitions between items in the list. One would have been motivated to include a partition region to ensure the user can differentiate between different files.

Gibson does not explicitly disclose a handle manipulator for manipulating the rotatable thumb, wherein said handle manipulator maneuvers said rotatable thumb quicker towards said geometric center point than towards said outer periphery region. However, Blades discloses a head and tail region that are used to manipulate a handle region (column 7, lines 16-29), and Schirmer further discloses scrolling at a rate that increases non-linearly as the selected portion of the active region progresses from the central interior region toward the peripheral border. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include a handle manipulator that maneuvers the rotatable thumb quicker towards said geometric center point than towards said outer periphery region. One would have been motivated to include a handle manipulator in order to provide more custom functionality to the interface. One would have been motivated to increase the speed of the scrolling function to enable the user to quickly access files that are further down the list.

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Claim 13: Gibson, Blades, and Schirmer disclose a method and system for a non-linear scrollbar as in Claim 12 above, but none of the references explicitly disclose as the thumb rotates, the list of items rotate accordingly. However, it would have been obvious to one having ordinary skill in the art at the time of the invention that the list could be rotated as the thumb rotates. One would have been motivated to rotate the list to add more elements to the list, or for customization purposes.

Claim 14: Gibson, Blades, and Schirmer disclose a method and system for a non-linear scrollbar as in Claim 12 above, and Schirmer further discloses the non-linear scrollbar comprises a spiral configuration (column 4, lines 47-51). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the non-linear scrollbar comprise a spiral configuration. One would have been motivated to arrange the non-linear scrollbar in a spiral configuration to form a compact and easy to navigate set of choices for the user.

Claim 15: Gibson, Blades, and Schirmer disclose a method and system for a non-linear scrollbar as in Claim 12 above, but none of the references explicitly disclose the non-linear path region comprises a square configuration. However, the examiner considers it immaterial as to which shape the path region is configured and it would have been obvious to one having ordinary skill in the art at the time the invention was made that the path region could be configured in different shapes. One would have been motivated to change the configuration of the path region for customization purposes.

Claim 16: Gibson, Blades, and Schirmer disclose a method and system for a non-linear scrollbar as in Claim 12 above, but none of the references explicitly disclose the non-linear path region comprises a rectangle configuration. However, the examiner considers it immaterial as to which shape the path region is configured and it would have been obvious to one having ordinary skill in the art at the time the invention was made that the path region could be configured in different shapes. One would have been motivated to change the configuration of the path region for customization purposes.

Claim 17: Gibson, Blades, and Schirmer disclose a method and system for a non-linear scrollbar as in Claim 12 above, and Gibson further discloses:

a. each of the items in the list is represented by a fixed proportion of the non-linear scrollbar (column 2, lines 46-54).

Claim 18: Gibson, Blades, and Schirmer disclose a method and system for a non-linear scrollbar as in Claim 12 above, and Gibson further discloses:

a. the rotatable region is proportional to a fixed proportion of the non-linear scrollbar (column 2, lines 46-61).

Claim 19: Gibson, Blades, and Schirmer disclose a method and system for a non-linear scrollbar as in Claim 17 above, and Gibson further discloses:

- a. the fixed proportion is a fixed angle (column 2, lines 46-61).

Claim 20: Gibson, Blades, and Schirmer disclose a method and system for a non-linear scrollbar as in Claim 18 above, and Gibson further discloses:

- a. the fixed proportion is a fixed angle (column 2, lines 46-61).

Claim 21: Gibson, Blades, and Schirmer disclose a method and system for a non-linear scrollbar as in Claim 12 above, and Gibson further discloses:

- a. a length of the non-linear scrollbar is directly proportional to an amount of items in the list (column 2, lines 46-61).

Claim 22: Gibson, Blades, and Schirmer disclose a method and system for a non-linear scrollbar as in Claim 12 above, and Blades further discloses a list of items that are displayed around a perimeter of the rotatable pointer (column 3, lines 12-17).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to arrange and display the list of items circumferentially around the perimeter of the non-linear scrollbar in Gibson. One would have been motivated to display the list of items circumferentially around the perimeter of the non-linear scrollbar for design choice.

Claim 23: Gibson, Blades, and Schirmer disclose a method and system for a non-linear scrollbar as in Claim 12 above, and Blades further discloses a head and tail region that

are used to manipulate a handle region (column 7, lines 16-29). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include a handle manipulator for manipulating the handle region in Gibson. One would have been motivated to include a handle manipulator in order to provide more custom functionality to the interface.

Claim 24: Gibson discloses a method and system for a non-linear scrollbar, but does not explicitly disclose corresponding a non-linear scrollbar to a list of items in a computer application. However, Gibson does disclose a non-linear periphery region that corresponds to one or more segments making up a panoramic image (Column 2, lines 46-54). The segments of the panoramic image are viewed as "items" in this case. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to correspond the non-linear scrollbar with a list of items. One would have been motivated to correspond a non-linear scrollbar to a list of items in order to efficiently manage the list of items in a graphical user interface in a compact fashion.

Gibson discloses corresponding a non-linear rotatable region to an accessed portion of the list (segments) of items (column 2, lines 46-54).

Gibson does not explicitly disclose corresponding a partition region to predetermined transitions between items in the list. Blades discloses a similar method and system for a non-linear scrollbar, that further discloses various functions that are separated by partitions (column 7, lines 16-31/Figure 4A). Therefore it would have been

obvious to one having ordinary skill in the art at the time the invention was made to include a partition region that corresponds to predetermined transitions between items in the list. One would have been motivated to include a partition region to ensure the user can differentiate between different files.

Claim 25: Gibson and Blades disclose a method and system for a non-linear scrollbar as in Claim 24 above, but neither of the references explicitly disclose as the thumb rotates, the list of items rotate accordingly. However, it would have been obvious to one having ordinary skill in the art at the time of the invention that the list could be rotated as the thumb rotates. One would have been motivated to rotate the list to add more elements to the list, or for customization purposes.

Claim 26: Gibson and Blades disclose a method and system for a non-linear scrollbar as in Claim 24 above, but neither reference explicitly discloses the non-linear scrollbar comprises a spiral configuration. Schirmer discloses a similar computer program product, apparatus, and method for a non-linear scrollbar that further discloses the non-linear scrollbar comprises a spiral configuration (column 4, lines 47-51). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the non-linear scrollbar comprise a spiral configuration. One would have been motivated to arrange the non-linear scrollbar in a spiral configuration to form a compact and easy to navigate set of choices for the user.

Claim 27: Gibson and Blades disclose a method and system for a non-linear scrollbar as in Claim 24 above, but neither reference explicitly discloses the non-linear scrollbar comprises a square configuration. However, the examiner considers it immaterial as to which shape the path region is configured and it would have been obvious to one having ordinary skill in the art at the time the invention was made that the path region could be configured in different shapes. One would have been motivated to change the configuration of the path region for customization purposes.

Claim 28: Gibson and Blades disclose a method and system for a non-linear scrollbar as in Claim 24 above, but neither reference explicitly discloses the non-linear scrollbar comprises a rectangle configuration. However, the examiner considers it immaterial as to which shape the path region is configured and it would have been obvious to one having ordinary skill in the art at the time the invention was made that the path region could be configured in different shapes. One would have been motivated to change the configuration of the path region for customization purposes.

Claim 29: Gibson and Blades disclose a method and system for a non-linear scrollbar as in Claim 24 above, and Gibson further discloses:

- a. each of the items in the list is represented by a fixed proportion of the non-linear scrollbar (column 2, lines 46-54).

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Claim 30: Gibson and Blades disclose a method and system for a non-linear scrollbar as in Claim 24 above, and Gibson further discloses:

a. the rotatable region is proportional to a fixed proportion of the non-linear scrollbar (column 2, lines 46-61).

Claim 31: Gibson and Blades disclose a method and system for a non-linear scrollbar as in Claim 29 above, and Gibson further discloses:

a. the fixed proportion is a fixed angle (column 2, lines 46-61).

Claim 32: Gibson and Blades disclose a method and system for a non-linear scrollbar as in Claim 30 above, and Gibson further discloses:

a. the fixed proportion is a fixed angle (column 2, lines 46-61).

Claim 33: Gibson and Blades disclose a method and system for a non-linear scrollbar as in Claim 24 above, and Gibson further discloses:

a. a length of the non-linear scrollbar is directly proportional to an amount of items in the list (column 2, lines 46-61).

Claim 34: Gibson and Blades disclose a method and system for a non-linear scrollbar as in Claim 24 above, and Blades further discloses a list of items that are displayed around a perimeter of the rotatable pointer (column 3, lines 12-17). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was

made to arrange and display the list of items circumferentially around the perimeter of the non-linear scrollbar in Gibson. One would have been motivated to display the list of items circumferentially around the perimeter of the non-linear scrollbar for design choice.

Claim 35: Gibson and Blades disclose a method and system for a non-linear scrollbar as in Claim 24 above, and Blades further discloses a head and tail region that are used to manipulate a handle region (column 7, lines 16-29). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include a handle manipulator for manipulating the handle region in Gibson. One would have been motivated to include a handle manipulator in order to provide more custom functionality to the interface.

Response to Arguments

4. Applicant's arguments with respect to claims 1-35 have been considered but are moot in view of the new ground(s) of rejection.

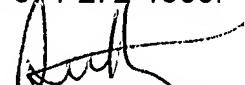
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Omar Abdul-Ali whose telephone number is 571-270-1694. The examiner can normally be reached on Mon-Fri(Alternate Fridays Off) 8:30 - 6:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

OAA
6/08/2007



Stephen S. Hong
Supervisory Primary Examiner
Art Unit 2178